

## **BILL ANALYSIS**

S.B. 234  
By: Nelson  
Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the risks that family violence survivors take when leaving or separating from an abuser. The danger can continue if the survivor faces obstacles in attempting to move to a safe location, and it has been suggested that terminating a lease can provide a means of escape from a potentially dangerous residence. There have been calls for more options for these survivors to terminate a lease and vacate a dwelling. S.B. 234 seeks to address this issue by expanding the options available to these victims when attempting to terminate a lease.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 234 amends the Property Code to include a magistrate's order for emergency protection among the court orders that a residential tenant who exercises the right to terminate the tenant's lease, vacate the dwelling, and avoid liability for future rent following family violence may provide to a landlord or landlord's agent to fulfill the documentation requirement for such a lease termination. The bill authorizes as alternate documentation for that purpose a copy of documentation of the family violence against the tenant or an occupant from a licensed health care services provider who examined the victim, a licensed mental health services provider who examined or evaluated the victim, or a family violence center employee or volunteer who has at least 20 hours of training in assisting family violence victims and who assisted the victim.

### **EFFECTIVE DATE**

September 1, 2019.